


received monetary gifts ranging from \$24.00 to \$160.00 from friends and family during the previous 12 months. (IFP Aff. 1, Doc. No. 2.) Petitioner's certified trust account statement states that he had a \$114.85 in his prisoner trust account when he filed his Petition for Writ of Habeas Corpus. (IFP Aff. 2.)

Based upon the information provided by Petitioner, the Court finds that he had sufficient funds with which to pay the \$5.00 fee when he filed his habeas Petition. Accordingly, Petitioner's IFP Motion shall be denied.

IT IS, THEREFORE, ORDERED that Petitioner's Motion to Proceed In Forma Pauperis (Doc. No. 2) is **DENIED**.

IT IS FURTHER ORDERED that Petitioner shall have 21 days from entry of this Order to pay the \$5.00 filing fee to the Clerk of Court. Failure to pay the filing fee shall result in dismissal of Petitioner's § 2254 habeas Petition.

Signed: March 17, 2017



Frank D. Whitney
Chief United States District Judge

